

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ALFA CORPORATION,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06cv962-WKW
)	
ALFA MORTGAGE INC.,)	
)	
Defendant.)	

ORDER

On December 10, 2007, Corina Shelton, President of Defendant, Alfa Mortgage Inc., again filed an Answer on behalf of the corporation. In an Order dated October 25, 2007, this Court informed Ms. Shelton that “[i]t is beyond dispute that a non-attorney may not represent a corporation in federal court.” Lowery v. Hoffman, 188 F.R.D. 651, 653 (M. D. Ala. 1999); Nat’l Indep. Theatre Exhibitors, Inc. v. Buena Vista Distrib. Co., 748 F.2d 602, 609 (11th Cir. 1984) (“[C]orporations must always be represented by legal counsel.”) (holding the district court properly refused to allow a corporation’s shareholder to represent the corporation *pro se*) , cert. denied, 471 U.S. 1056 (1985); Lutz v. Lavelle, 809 F. Supp. 323, 325 (M. D. Pa. 1991) (“It is a well established principle that while a layman may represent himself with respect to his individual claims, he is not entitled to act as an attorney for others in a federal court.”) (citing People ex rel. Snead v. Kirkland, 462 F. Supp. 914, 918 (E. D. Pa.1978); 28 U.S.C. § 1654 (2000)). Title 28 U.S.C. § 1654 provides that “[i]n all courts of the United States parties may plead and conduct their own

case personally or by counsel.” 28 U.S.C. § 1654. The “courts have uniformly held that . . . § 1654 . . . does not allow corporations, partnerships, or associations to appear in federal court otherwise than through a licensed attorney.” Rowland v. Cal. Men’s Colony, Unit II Men’s Advisory Council, 506 U.S. 194, 202 (1993); see also K.M.A., Inc. v. Gen. Motors Acceptance Corp., 652 F.2d 398, 399 (5th Cir. 1981); Sw. Express Co., Inc. v. Interstate Commerce Comm’n, 670 F.2d 53, 55 (5th Cir. 1982). This is so even where the corporation cannot afford counsel. Lowery v. Hoffman, 188 F.R.D. at 654.

As the law clearly precludes Ms. Shelton, a non-attorney, shareholder from representing Alfa Mortgage Corporation *pro se* in this Court, Nat’l Indep. Theatre Exhibitors, Inc. v. Buena Vista Distrib. Co., 748 F.2d at 609, it is

ORDERED that the Clerk of Court shall STRIKE the Answer (Doc. #30) from the record. See Lowery v. Hoffman, 188 F.R.D. at 653-54 (granting motion to strike defendant corporation’s answer where the sole stockholder and president, a non-attorney, filed the answer on behalf of the corporation).

DONE this 10th day of December, 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE